

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 14-CR-20238-COOKE/TORRES

18 U.S.C. § 1956(h)
18 U.S.C. § 1956(a)(1)(B)(i)
18 U.S.C. § 371
31 U.S.C. § 5324(a)(3) and (d)(2)
18 U.S.C. § 982
31 U.S.C. § 5317

FILED BY RB

Apr 15, 2014

STEVEN M. LARIMORE
CLERK U.S. DISTRICT CT.
S.D. OF FLA. MIAMI

UNITED STATES OF AMERICA

vs.

MARIA E. ORTIZ,

Defendant.

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times material to this Indictment:

The Defendant, Related Co-Conspirators and Corporate Entities

1. Musomed Health Care Corp. ("Musomed") was a corporation organized under the laws of the State of Florida and located at 4260 SW 73rd Avenue, Miami, Florida 33155. Musomed was purportedly engaged in the business of providing home health services to Medicare beneficiaries. Musomed had a Medicare provider number and was eligible to receive reimbursement from Medicare for home health services provided to beneficiaries.
2. Yainier Betancourt, a resident of Miami-Dade County, Florida, was president, director, and registered agent of Musomed. Betancourt controlled Musomed's Wachovia bank

account ending in 8629.

3. SZG Services, Inc. was a corporation organized under the laws of the State of Florida purportedly located at 13820 SW 27th Terrace B, Homestead, Florida.

4. Sandy Zaldivar, a resident of Miami-Dade County, Florida, incorporated SZG Services on or about October 20, 2010. Zaldivar was president and registered agent of SZG Services from on or about October 20, 2012, until it was administratively dissolved on or about September 23, 2011. On or about October 22, 2010, Zaldivar opened SZG Services' Wachovia bank account ending in 4264.

5. Defendant **MARIA E. ORTIZ**, Sonny Saddy Rego, and Mercedes Rego, were residents of Miami-Dade County, Florida.

Currency Transaction Report

6. A "currency transaction report" ("CTR") is a report that is submitted on United States Department of Treasury, Financial Crimes Enforcement Network Form 104. A domestic financial institution is required by federal law to file a CTR with Treasury for each financial transaction that involves United States currency in excess of \$10,000. Such financial transactions include deposits, withdrawals, or exchanges of currency, or other transactions involving the physical transfer of currency from one person to another.

COUNT 1 **Conspiracy to Commit Money Laundering** **(18 U.S.C. § 1956(h))**

1. Paragraphs 1 through 6 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around September 2010, and continuing through on or about June 1, 2011, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARIA E. ORTIZ,

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree with Yainier Betancourt, Sandy Zaldivar, Sonny Saddy Rego, Mercedes Rego, and others, known and unknown to the Grand Jury, to violate Title 18, United States Code, Section 1956, that is, to knowingly conduct a financial transaction affecting interstate commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing that the property involved in such financial transaction represented the proceeds of some form of unlawful activity, and knowing that such financial transaction was designed in whole and in part to:

(a) conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

(b) avoid a transaction reporting requirement under State or Federal law, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

It is further alleged that the specified unlawful activity is the offer and payment of kickbacks in connection with a Federal Health Care Program, in violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A).

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS 2-5
Money Laundering
(18 U.S.C. § 1956(a)(1)(B)(i))

1. Paragraphs 1 through 5 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. On or about the dates specified as to each count below, in Miami-Dade County, in

the Southern District of Florida, and elsewhere, the defendant,

MARIA E. ORTIZ,

did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, which transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that such transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, as set forth below:

Count	Approximate Date of Transaction	Description of Financial Transaction
2	10/19/2010	The negotiation of check no. 1311, drawn on Musomed's Wachovia bank account ending in 8629, in the approximate amount of \$5,670.
3	10/28/2010	The negotiation of check no. 1349, drawn on Musomed's Wachovia bank account ending in 8629, in the approximate amount of \$4,988.
4	02/01/2011	The negotiation of check no. 1033, drawn on SZG Services's Wachovia bank account ending in 4264, in the approximate amount of \$6,000.
5	06/01/2011	The negotiation of check no. 1126, drawn on SZG Services's Wachovia bank account ending in 4264, in the approximate amount of \$3,000.

It is further alleged that the specified unlawful activity is the offer and payment of kickbacks in connection with a Federal Health Care Program, in violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A).

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

COUNT 6
Conspiracy to Structure Transactions to Evade Reporting Requirements
(18 U.S.C. § 371)

1. Paragraphs 1 through 6 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around September 2010, and continuing through on or about June 1, 2011, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARIA E. ORTIZ,

did knowingly and intentionally combine, conspire, and agree with Yainier Betancourt, Sandy Zaldivar, Sonny Saddy Rego, Mercedes Rego, and others, known and unknown to the Grand Jury, to commit an offense against the United States, that is, to knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated thereunder, structure and assist in structuring, any transaction with one or more domestic financial institutions, in violation of Title 31, United States Code, Section 5324(a)(3).

Purpose of the Conspiracy

3. The purpose of the conspiracy was to convert funds deposited in various bank accounts into United States currency, while evading the requirement that transactions in excess of ten thousand dollars (\$10,000.00) in United States currency be reported to the U.S. Department of the Treasury.

Manner and Means of the Conspiracy

The Manner and Means by which the defendant and her co-conspirators sought to accomplish the object and purpose of the conspiracy included, among other things, the following:

4. Yainier Betancourt deposited and caused to be deposited funds into Wachovia bank

accounts ending in 8629 and 4264.

5. Yainier Betancourt wrote checks from Wachovia bank account ending in 8629 payable to **MARIA E. ORTIZ**, Sandy Zaldivar, Mercedes Rego, Sonny Saddy Rego, and others, in amounts of less than ten thousand dollars (\$10,000), but together totaling in excess of ten thousand dollars (\$10,000).

6. Sandy Zaldivar wrote checks from Wachovia bank account ending in 4264 payable to **MARIA E. ORTIZ**, Sandy Zaldivar, Mercedes Rego, Sonny Saddy Rego, and others, in amounts of less than ten thousand dollars (\$10,000), but together totaling in excess of ten thousand dollars (\$10,000).

7. **MARIA E. ORTIZ**, Sandy Zaldivar, Mercedes Rego, Sonny Saddy Rego, and others, cashed checks at various times and dates and domestic financial institutions in amounts of less than ten thousand dollars (\$10,000.000), but together totaling in excess of ten thousand dollars (\$10,000), to avoid triggering the banks' obligation under federal law to file CTRs.

Overt Acts

In furtherance of the conspiracy, and to accomplish the object and purpose thereof, at least one of the co-conspirators committed and caused to be committed, in the Southern District of Florida, at least one of the following overt acts:

1. On or about October 6, 2010, **MARIA E. ORTIZ** cashed a \$4,900 check made payable to herself and drawn on Musomed's Wachovia bank account ending in 8629.

2. On or about October 6, 2010, Sonny Saddy Rego cashed a \$5,000 check made payable to herself and drawn on Musomed's Wachovia bank account ending in 8629.

3. On or about October 6, 2010, Sandy Zaldivar cashed a \$5,200 check made payable to himself and drawn on Musomed's Wachovia bank account ending in 8629.

4. On or about October 22, 2010, Sandy Zaldivar opened SZG Services' Wachovia bank account ending in 4264. The account was opened under the name "SGZ Services, Inc."
5. On or about December 9, 2010, Yainier Betancourt caused \$16,500 to be deposited into SZG Services' Wachovia bank account ending in 4264.
6. On or about December 10, 2010, Sonny Saddy Rego cashed a \$4,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.
7. On or about December 10, 2010, **MARIA E. ORTIZ** cashed a \$4,500 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.
8. On or about December 10, 2010, Sandy Zaldivar withdrew \$8,000 in United States currency from SZG Services' Wachovia bank account ending in 4264.
9. On or about January 6, 2010, Yainier Betancourt caused \$25,000 to be deposited into SZG Services' Wachovia bank account ending in 4264.
10. On or about January 7, 2011, Sonny Saddy Rego cashed a \$5,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.
11. On or about January 7, 2011, Mercedes Rego cashed a \$5,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.
12. On or about January 7, 2011, **MARIA E. ORTIZ** cashed a \$6,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.
13. On or about January 7, 2011, Sandy Zaldivar cashed a \$9,000 check made payable to himself and drawn on SZG Services' Wachovia bank account ending in 4264.
14. On or about March 16, 2011, Sonny Saddy Rego cashed a \$4,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.
15. On or about March 16, 2011, Mercedes Rego cashed a \$4,000 check made payable

to herself and drawn on SZG Services' Wachovia bank account ending in 4264.

16. On or about March 16, 2011, **MARIA E. ORTIZ** cashed a \$5,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.

17. On or about March 16, 2011, Sandy Zaldivar cashed an \$8,000 check made payable to himself and drawn on SZG Services' Wachovia bank account ending in 4264.

18. On or about June 1, 2011, **MARIA E. ORTIZ** cashed a \$3,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.

19. On or about June 1, 2011, Mercedes Rego cashed a \$4,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.

20. On or about June 1, 2011, Sonny Saddy Rego cashed a \$5,000 check made payable to herself and drawn on SZG Services' Wachovia bank account ending in 4264.

21. On or about June 1, 2011, Sandy Zaldivar cashed a \$9,800 check made payable to himself and drawn on SZG Services' Wachovia bank account ending in 4264.

All in violation of Title 18, United States Code, Section 371.

COUNTS 7-12
Structuring Transactions to Evade Reporting Requirements
(31 U.S.C. § 5324(a)(3) and (d)(2))

On or about the dates specified as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARIA E. ORTIZ,

did knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a); and the regulations promulgated thereunder, structure and assist in structuring, and attempt to structure and assist in structuring, a transaction with one or more domestic financial institutions, while violating another law of the United States, that is, conspiracy

to commit money laundering in violation of Title 18, United States Code, Section 1956(h), and as part of a pattern of illegal activity involving more than \$100,000 in a twelve (12) month period, as set forth below:

Count	Approx. Date of Transactions	Account	Check Numbers	Approximate Amounts
7	10/19/2010	Wachovia Bank account ending in 8629	1310 1311 1312	\$6,090 \$5,670 \$5,040
8	10/28/2010	Wachovia Bank account ending in 8629	1347 1348 1349 1350	\$5,092 \$5,260 \$4,988 \$5,460
9	01/07/2011	Wachovia Bank account ending in 4264	1019 1021 1022 1023	\$5,000 \$6,000 \$9,000 \$5,000
10	02/01/2011	Wachovia Bank account ending in 4264	1032 1033 1034 1035	\$5,500 \$6,000 \$5,500 \$9,250
11	03/16/2011	Wachovia Bank account ending in 4264	1051 1052 0767 1053	\$4,000 \$4,000 \$5,000 \$8,000
12	06/01/2011	Wachovia Bank account ending in 4264	1126 1127 1130 1131 1132	\$3,000 \$5,000 \$9,800 \$4,000 \$4,900

In violation of Title 31, United States Code, Section 5324(a)(3) and (d)(2), and Title 18, United States Code, Section 2.

FORFEITURE

1. The General Allegations contained in this Indictment are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **MARIA E. ORTIZ**, has an interest.

2. Upon conviction of any violation of Title 18, United States Code, Section 1956, as alleged in Counts 1 through 5 of this Indictment, the defendant shall forfeit all property, real or personal, involved in such violation, or in any property traceable to such property, pursuant to Title 18, United States Code, Section 982(a)(1).

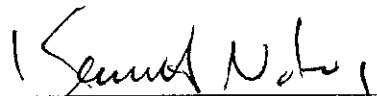
3. Upon conviction of any violation of Title 31, United States Code, Section 5324, or a conspiracy to commit the same, as alleged in Counts 6 through 12 of this Indictment, the defendant shall forfeit all property, real or personal, involved in such violation, or any property traceable to such property, pursuant to Title 31, United States Code, Section 5317(c).

All pursuant to Title 18, United States Code, Section 982(a)(1), Title 31, United States Code, Section 5317(c), and the procedures set forth at Title 21, United States Code, Section 853, as

made applicable through Title 18, United States Code, Section 982(b)(1) and Title 31, United States Code, Section 5317(c)(1)(B).

A TRUE BILL

FOR



WIFREDO A. FERRER
UNITED STATES ATTORNEY



ERIC E. MORALES
ASSISTANT UNITED STATES ATTORNEY